

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE VEECO INSTRUMENTS INC.	:	
SECURITIES LITIGATION	:	05 MD 1695 (CM)(GAY)
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	:	
THIS DOCUMENT RELATES TO:	:	
ALL ACTIONS	:	
	:	
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**DECLARATION OF J. ROSS WALLIN IN SUPPORT OF DEFENDANTS'  
OPPOSITION TO LEAD PLAINTIFF'S MOTION TO VACATE AND REVERSE  
THE DISCOVERY ORDER OF MAGISTRATE JUDGE GEORGE A. YANTHIS  
DATED JANUARY 26, 2007**

**REDACTED**

**(ORIGINAL NON-REDACTED VERSION FILED UNDER SEAL PURSUANT TO  
CONFIDENTIALITY ORDER DATED MAY 16, 2006)**

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*Attorneys for Defendants Veeco Instruments Inc.,  
Edward H. Braun, John F. Rein, Jr. and John P.  
Kiernan*

February 21, 2007

J. ROSS WALLIN declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a lawyer with the law firm of Gibson, Dunn & Crutcher LLP, counsel to Defendants Veeco Instruments Inc., Edward H. Braun, John F. Rein, Jr., and John P. Kiernan in this action.

2. Attached hereto as Exhibit A is a true and correct copy of a letter from Defendants to the Court, dated February 15, 2007, regarding Lead Plaintiff's request to reschedule remaining depositions.

3. Attached hereto as Exhibit B is a true and correct copy of an email and attached schedule, dated December 4, 2006, from Defendants to Lead Plaintiff regarding scheduling of depositions.

4. Attached hereto as Exhibit C is a true and correct copy of a letter from Defendants to Lead Plaintiff, dated January 19, 2007, regarding scheduling of depositions.

5. Attached hereto as Exhibit D is a true and correct copy of a letter from Defendants to Lead Plaintiff, dated January 25, 2007, regarding scheduling of depositions after the stipulation to extend the discovery schedule.

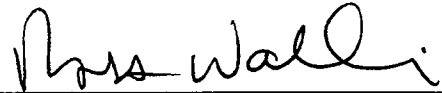
6. Attached hereto as Exhibit E is a true and correct copy of a letter from Defendants to Lead Plaintiff, dated January 31, 2007, regarding scheduling of depositions **REDACTED**

**REDACTED**

7. Attached hereto as Exhibit F is a true and correct copy of a letter from Lead Plaintiff to Defendants, dated January 30, 2007, requesting information regarding Defendants' search of backup tapes.

8. Attached hereto as Exhibit G is a true and correct copy of a letter from Defendants to Lead Plaintiff, dated February 2, 2007, providing information regarding Defendants' search of backup tapes.

Executed on February 21, 2007

A handwritten signature in cursive script, appearing to read "J. Ross Wallin", written over a horizontal line.

J. Ross Wallin